

REMARKS

In the Final Office Action of February 11, 2008, claims 1, 3-6, and 8-34 were rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103 (a) as obvious over Halperin (U.S. 5,564,434). The Examiner's position with regard to Halperin is that the insulating sleeve is a coating over a "cable conductor." Applicants responded on April 11, 2008, which response is hereby incorporated by reference, asserting that the Examiner's finding that coiled wire conductor 16 in Halperin is a cable conductor was based on an erroneous construction of the term "cable conductor." Applicants pointed out that a coiled wire conductor is, as its name describes, a wire formed into the shape of a coil and thus has a central lumen defined by the coil, whereas a cable conductor is a conductor including multiple strands or wires bundled together to form a cable conductor. A cable conductor generally does not have a central lumen but instead has a center wire around which additional wires are bundled (see for example paragraph 20 and Figure 4 of the instant application). As described in paragraph 29 and shown in Figure 6B of the instant application, the cable conductor includes multiple wires divided up into a center strand, intermediate strands bundled about the center strand, and outer strands bundled about the intermediate strands. Applicants argued that it would be readily apparent to one having ordinary skill in the art that a "cable conductor" is a structure that is distinct from a "coiled wire conductor." Accordingly, the Examiner's finding that Halperin teaches a cable conductor extending within the lumen of the coil conductor was argued to be erroneous.

In the Advisory Action of August 11, 2008, the Examiner held that the application was not placed in condition for allowance because the coiled conductor 16 shown in Fig. 3 meets Applicants' definition of a "cable conductor."

By this Response, Applicants have amended independent claims 1 and 20 to recite "an elongate cable conductor *comprising a plurality of inter-twisted wire strands.*" Without question, Halperin's coiled conductor 16 does not meet this structural recitation.

Support for the amendment is provided in paragraphs [0021] and [0024] of the published application, which identify the cable conductor to be item 38 shown in Figs. 4 and 6A. As shown, cable conductor 38 comprises a plurality of inter-twisted wire strands.

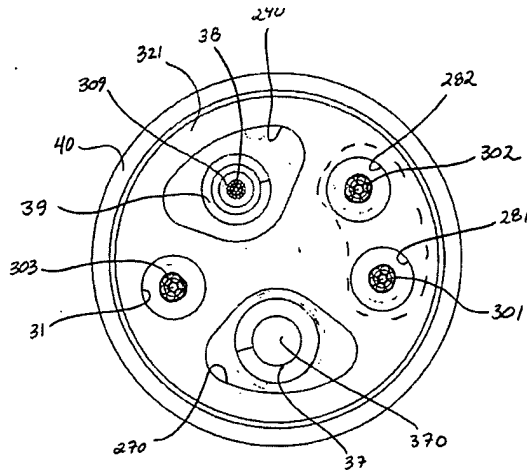


Figure 4

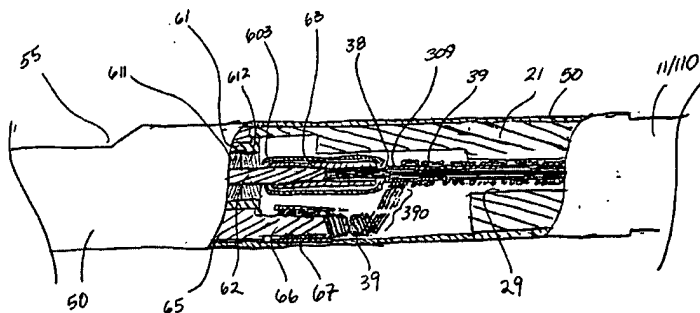


Figure 6A

Also in the Response submitted on April 11, 2008, Applicants pointed out that the insulating sleeve 22 in Halperin separating the inner coiled conductor 16 and the outer coiled conductor 14 is clearly not a coating. The insulating sleeve 22 is required to extend over the crimp sleeve 66 according to the teachings of Halperin (col. 9 lines 5-6). Since sleeve 22 is required to be a sleeve that can extend over the crimp sleeve 66, insulating sleeve 22 is clearly not a coating. Insulating sleeve 22 is shown and described as a separate member. As such, the insulating sleeve separating inner and outer coiled wire conductors cannot under any logically supportable analysis be said to include a coating on a cable conductor. The Examiner did not dispute Applicants' argument in the Advisory Action of August 11, 2008.

Yet further, Applicants disputed the Examiner's statement that there is necessarily a gap between the coil 14 and the coil 16 in Halperin since they are not unitary. Applicants also argued that the full scope of the claim limitation of "an average gap exists between the insulative layer and an interior surface of the lumen of the coil conductor" is nowhere disclosed in Halperin. Thus, just because coils 14 and 16 are not unitary does not mean that the claim limitation is met because Halperin does not disclose that an outer diameter of the insulating sleeve does not match the inner diameter of the coil wire conductor lumen. In fact, the description is that the coils 14 and 16 are "separated" by sleeve 22 (col. 7, lines 25-26), which indicates that the structures abut one another and indicates the absence of a gap. The Examiner also not dispute Applicants' argument on this point in the Advisory Action of August 11, 2008.

Neither Halperin nor Cobian, taken singly or combined, teach, suggest or imply an elongate cable conductor comprising a plurality of inter-twisted wire strands extending within the lumen of the coil conductor and a coating on an exterior surface of the cable conductor as specified in the pending claims. Applicants respectfully assert the rejection is improper and should be withdrawn.

P0020093.00

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Applicants further assert that the present claims are in condition for allowance. Withdrawal of the instant rejections and issuance of a Notice of Allowance is respectfully requested.

Should any issues remain outstanding, the Examiner is urged to telephone the undersigned to expedite prosecution. The Commissioner is authorized to charge any deficiencies and credit any overpayments to Deposit Account No. 13-2546.

Respectfully submitted,

February 2, 2009
Date

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